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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/817,842

03/26/2001

Robert F. Gazdzinski

RFG.006CP1

9452

27299

7590

05/01/2009

GAZDZINSKI & ASSOCIATES

11440 WEST BERNARDO COURT, SUITE 375

SAN DIEGO, CA 92127

EXAMINER

LEUBECKER, JOHN P

ART UNIT

PAPER NUMBER

3739

MAIL DATE

DELIVERY MODE

05/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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09817842	3/26/01	GAZDZINSKI, ROBERT F.	RFG.006CP1

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EXAMINER

John P.. Leubecker

ART UNIT	PAPER
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3739	20090501
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Commissioner for Patents

In response to the Order Returning Undocketed Appeal to Examiner received April 14, 2009, the Examiner's Answer mailed December 10, 2008 is hereby VACATED. A new Examiner's Answer corresponding to the change in the status of the claims as set forth below will soon follow this communication.

Appellant identified fewer than all of the rejected claims as being appealed in the status of the claims section of the appeal brief. Therefore, the Office is considering this as an authorization to cancel the rejected claims that are not on appeal. See Ex parte Ghuman (Bd. Pat. App. & Int. May 1, 2008) and MPEP 1215.03.

Accordingly, the following claims are hereby canceled: 17-26, 34, 37, 47-49, 54 and 55.

/John P. Leubecker/
Primary Examiner
Art Unit: 3739